

# **CHADDS FORD TOWNSHIP**

## **PLANNING COMMISSION MINUTES**

Wednesday, November 14, 2007

The Planning Commission of Chadds Ford Township met in the Township Hall on Wednesday, November 14, 2007. In attendance were Chairman William Taylor, Vice-Chairman Maurice Todd, Paul Vernon, Gary Whelan, and Joe Barakat. Mr. Jensen, Building Inspector/Code Enforcement Office was in attendance as was Joe Mastronardo of Pennoni Associates, Inc.

### **CALL TO ORDER**

Mr. Taylor called the meeting to order at 7:40 P.M.

**PUBLIC COMMENT** - None

### **MINUTES**

The Planning Commission (Vernon/Todd) motioned and approved the Minutes of the October 10, 2007 meeting.

### **681 Webb Road (Weiss)**

Donald T. Petrosa, Esquire represented this applicant for a property at the northwest corner of Baltimore Pike and Webb Road. This 7-acre parcel, zoned R-1, is also in both the Historic Overlay District and the Baltimore Pike Overlay District. The applicant is proposing a two-lot subdivision. Lot 2 (2.11 acres gross lot area; 2.01 acres net) is being proposed for single-family residential use. The balance of the property, (Lot 1) is being proposed for use as a Bed and Breakfast. This will require Conditional Use Approval for which an application has not yet been submitted. Jim Gade, Stantec Consulting Services, Inc., explained that the driveway for Lot 2 will be via an access easement off the existing driveway from Webb Road to avoid cutting down mature trees to gain the required site distances. Some of the existing stone wall at the Webb Road driveway entrance will be removed to create the necessary site distances. Nine parking spaces will be provided at the rear of Lot 1. In response to Mr. Barakat's question, Mr. Weiss

detailed that the existing 3-story house is 6,800 square feet, not including the two enclosed porches of 275 and 580 square feet, 7 bedrooms (one owner bedroom and six guest rooms) and 3-1/2 baths.

Mr. Petrosa explained that a Bed and Breakfast is permitted in R-1 zoning with Conditional Use Approval. The more recent Baltimore Pike Overlay District also references Bed and Breakfast use. The HARB Ordinance, which pre-dated both of these, has never been amended to address Bed and Breakfast use; however this was definitely one of the properties discussed as a potential for such use.

There are no changes being proposed to either the house or carriage house. The metal garage structure at the rear of the property will be removed. There are no plans to make this property handicapped accessible. Mr. Jensen advised that the only entity that can grant relief from ADA requirements is the State. A change of use under the UCC makes this property subject to compliance. Mr. Weiss advised that it is not his intent to convert this property to a Bed and Breakfast, but to sell it with a potential for that use.

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### **681 Webb Road (Weiss)**

With regard to lot size, Mr. Petrosa explained that the Bed and Breakfast Ordinance requires a lot size of 4 acres. Lot 1 is 4.9 acres gross. There is a definition of "lot area" in our ordinances which requires that certain areas; i.e., of rights-of-way, percentage of steep slopes, percentage of flood plain area, etc. be netted out. It is the applicant's position that because the Bed and Breakfast Ordinance says "lot size" as opposed to "lot area," they would not be required to "net out" to determine the lot size. They did provide the information that this lot would be 3.68 acres if they were required to "net out" for a lot area. Mr. Petrosa will further discuss with Mr. Jensen and our Solicitor, Mr. Donaghue.

Mr. Jensen suggested that lighting and landscaping be added to this plan before submission to the HARB. If the eventual use for this site is a Bed and Breakfast, the applicant can then resubmit ADA and ramp information to the HARB.

The existing access from Rt. 1 (Baltimore Pike) will remain but will be blocked off. In response to Mr. Todd's comment about the implication of a shared driveway and

separation of driveways, Mr. Jensen explained that we do have many shared driveways in our Township and that less entrances onto Webb Road is better. Several of the neighbors expressed concern about additional traffic and access onto Webb Road. Mr. Rob Newman (680 Webb Road) commented that he felt if a developer is taking this property, building it to accommodate several rooms, and selling to someone for use as a Bed and Breakfast, this appears to be a commercial development. If it falls in the Baltimore Pike Overlay District, why not use the Baltimore Pike entrance instead of Webb Road and eliminate the problems of more traffic and site distances. Mrs. Newman expressed her many safety concerns about the driveway entrance to Webb Road, as did Lana Sheer (Atwater Road).

This plan will require revision and resubmission to the Planning Commission for Conditional Use review and preliminary plan review.

### **Open Space Plan**

Tara Tracy, Brandywine Conservancy, and Debbie Reardon, Open Space Committee, attended to answer any questions regarding the Draft Open Space Plan. Mr. Barakat asked for an explanation of a wildlife crossing on Route 202 which Tara Tracy described as a culvert under the road. Debbie Reardon detailed that this Committee will start this process by educating property owners via seminars about what is available to them for protection of their land. Tara Tracy detailed that this plan is structured to provide a formal entity for the Township to spend the tax money collected for this purpose, to borrow money, to apply for grant monies, to set priorities; and for protection and management of resources whether it is a landowner of one or a landowner of many acres. In response to Mr. Todd's question about who will be responsible for the action items, Ms. Tracy explained that the Open Space Committee will initially be responsible but ultimately the Board of Supervisors is responsible for direction and approval.

The Planning Commission (Whelan/Barakat) recommended to the Board of Supervisors that the Public Review Draft of the Open Space Plan be adopted.

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### **Comprehensive Plan Consultant**

The Planning Commission (Vernon/Todd) officially appointed Ray Ott Associates as our consultant for the Comprehensive Plan.

**Andrew Johnson (sketch plan)**

Mr. Johnson presented a sketch plan for subdivision of a property on Creek Road which he has discussed with Mr. Jensen. A formal application will be submitted.

**ADJOURNMENT**

Upon a motion and second (Todd/Vernon) meeting was adjourned at 9:50 P.M.

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Gail G. Force, Secretary